

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN KEITH JONES,  
Plaintiff,  
v.  
BERGELECTRIC, INC., et al.,  
Defendants.

No. 2:21-cv-0614-KJM-CKD (PS)

ORDER VACATING THE SEPTEMBER 8,  
2021 INITIAL SCHEDULING CONFERENCE  
AND RESETTING FOR NOVEMBER 3, 2021

Plaintiff proceeds pro se in this action, which was referred to the undersigned by Local Rule 302(c)(21) pursuant to 28 U.S.C. § 636(b)(1). This case was set for an initial scheduling conference on September 8, 2021. By order dated April 5, 2021, the parties were ordered to file status reports no later than 14 days prior to the initial scheduling conference. (ECF No. 30.)

Defendant BergElectric Corp, sued as BergElectric, Inc., (“BergElectric”) has filed a status report. (ECF No. 37.) In addition, by way of special appearance, defendant Associated Builders and Contractors, Inc., Northern California Chapter Unilateral Apprenticeship Committee, sued as “American Builders & Contractors Apprenticeship, (“ABC”) has filed a status report. (ECF No. 39.) Both defendants have requested to appear telephonically at the September 8, 2021 initial scheduling conference. (ECF Nos. 38, 40.)

Defendant BergElectric’s status report states defendant BergElectric reached out to plaintiff Melvin Jones to meet and confer on the subjects addressed in the status report, but that

1 plaintiff did not respond. Plaintiff has not filed a status report, but instead, has requested that this  
2 court make adjustments to the dates of these proceedings because plaintiff did not receive the  
3 court's order setting the initial scheduling conference until August 18, 2021. (ECF No. 33.)

4 Good cause appearing, IT IS HEREBY ORDERED:

5 1. The initial scheduling conference set for September 8, 2021 is VACATED and RESET  
6 to take place on Wednesday, November 3, 2021 at 10:30 a.m.; unless ordered otherwise, the  
7 initial scheduling conference will take place via Zoom and instructions on how to connect to the  
8 proceeding will issue prior to the proceeding;

9 2. Because the initial scheduling conference will take place via Zoom unless ordered  
10 otherwise, defendants' requests to appear telephonically (ECF Nos. 38, 40) are DENIED without  
11 prejudice at this time; and

12 3. Not later than fourteen (14) days prior to the initial scheduling conference, the parties  
13 shall file a joint status report<sup>1</sup> addressing the following matters:

- 14 a. Service of process;
- 15 b. Possible joinder of additional parties;
- 16 c. Any expected or desired amendment of the pleadings;
- 17 d. Jurisdiction and venue;
- 18 e. Anticipated motions and their scheduling;
- 19 f. The report required by Federal Rule of Civil Procedure 26 outlining the  
20 proposed 21 discovery plan and its scheduling, including disclosure of expert witnesses;
- 21 g. Future proceedings, including setting appropriate cut-off dates for discovery  
22 and 23 law and motion, and the scheduling of a pretrial conference and trial;
- 23 h. Special procedures, if any;
- 24 i. Estimated trial time;
- 25 j. Modification of standard pretrial procedures specified by the rules due to the 3  
26 simplicity or complexity of the proceedings;

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27  
28 <sup>1</sup> If the parties are unable to file a joint status report, then they shall separately file status reports.

1 k. Whether the case is related to any other cases, including bankruptcy;

2 l. Whether a settlement conference should be scheduled;

3 m. Whether counsel will stipulate to the magistrate judge assigned to this matter  
4 acting as settlement judge and waiving disqualification by virtue of her so acting, or  
5 whether they prefer to have a settlement conference before another judge;

6 n. Any other matters that may add to the just and expeditious disposition of this  
7 matter.

8 Dated: August 27, 2021



CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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